

REMARKS

STATUS OF CLAIMS

Claims 1, 2, 7 and 8 have been amended, and claims 11 and 12 has been added. Claims 1-12 are now active in this application. No new matter has been added.

The indication that claims 2 and 3 are objected to, but would be allowable if rewritten in independent form including all the limitations of the base claim and any intervening claims is acknowledged and appreciated.

By this response, claim 2 has been amended to be in independent form including all the limitations of base claim 1. Consequently, claim 2, as amended, as well as claim 3 depending from amended claim 2, are believed to be allowable.

Independent claim 1 has been amended to change "mobile unit" to "user equipment" to provide consistency, and claims 1, 2 and 7 have been amended to consistency recite "base *transceiver* station".

REJECTION OF CLAIMS UNDER 35 U.S.C. § 102

Claims 1 and 4-10 are rejected under 35 U.S.C. § 102(b) as being anticipated by Raith (USPN 5,404,355), for the reasons substantially of record.

The rejections are respectfully traversed.

Applicant comments in the response filed September 14, 2006, are still valid and are incorporated herein by reference thereto.

The Examiner states in the Final Office Action that the arguments brought forward in the response to the first Office Action were not persuasive, as the given arguments and differences

between Raith and the present application were not reflected by corresponding limitations given in claim 1.

However, the Examiner still fails to clearly provide any proof that Raith discloses the limitations of claim 1 of having a synchronization signals which contains a modulation elementary units sequence (i.e., chips of a CDMA signal) suitable to identify the timeslot and code of a service channel containing a system message, and of marking the synchronization signal. Concerning the issue of synchronization, the Examiner refers to column 11, lines 10-16 of Raith, which indicates the existence of a signaling protocol for synchronization, but no additional information can be derived from this passage regarding how synchronization protocol is configured and used by the base transceiver station and mobile station. In addition, the term "synchronization protocol" clearly refers to higher layer signaling (i.e., in a logical channel), which is totally different from physical layer signals ("modulation elementary units") and their marking according to claim 1.

With these substantial differences between the disclosure of Raith and the invention recited in independent claims 1 and 7, it is believed to be clear that independent claims 1 and 7 are patentable over Raith, as are dependent claims 4-6 and 8-10.

At any rate, independent claim 1 has been amended to recite, *inter alia*:

...wherein
the marking of the synchronization signal indicates to the user equipment
the presence of a pointer message.

Independent claim 7 has been similar amended. This limitation is based upon the description at page 4, paragraph 3 of the international publication that the marking/modifying of

the synchronization signals indicates to the user equipment the presence of a pointer message. In amended independent claims 1 and 7, there is now clear relation between the marking of the synchronization signal and the pointer message. This relation is not disclosed or suggested by Raith.

In view of the above, the allowance of claims 1 and 4-10, as amended, is respectfully solicited.

NEW CLAIMS

Claims 11 and 12 have been added. Claim 11 is directed a base transceiver station for a digital telecommunication network and includes means for generating a marked synchronization signal in at least one frame indicating the presence of a pointer message to user equipment adapted to receive the transmitted radio signals, and means for transmitting the pointer message in the service channel of this frame or of a subsequent frame. Claim 12, depending from claim 11, delineates that the marked synchronization signal includes at least a polarity inversion of the relative modulation elementary units.

Claims 11 and 12 are patentable over Raith for the same reasons as to why claims 1 and 4-10 are patentable over Raith. Consequently, the allowance of claims 11-12 is respectfully solicited.

CONCLUSION

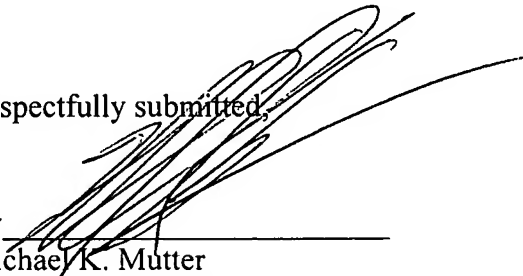
Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Edward J. Wise (Reg. No. 34,523)

at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Dated: May 29, 2007

Respectfully submitted,



By _____
Michael K. Mutter
Registration No.: 29,680
BIRCH, STEWART, KOLASCH & BIRCH, LLP
8110 Gatehouse Road
Suite 100 East
P.O. Box 747
Falls Church, Virginia 22040-0747
(703) 205-8000
Attorney for Applicant